

EXHIBIT 1

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE METHYL TERTIARY BUTYL ETHER-
PRODUCTS LIABILITY LITIGATION

Master File No. 1:00-1989-(SAS)
MDL 1358 (SAS): M21-88

This document pertains to:
*New Jersey Department of Environmental
Protection, et. al., v. Atlantic Richfield Co.,
et. al.*
Case No. 08-CIV-00312-SAS

**PLAINTIFFS' RESPONSES TO DEFENDANTS' FIRST SET OF INTERROGATORIES,
REQUESTS FOR ADMISSIONS AND REQUESTS FOR PRODUCTION DIRECTED TO
PLAINTIFFS REGARDING DAMAGES**

Plaintiffs, by and through their attorneys, make the following Responses and General Objections to Defendants' First Set of Interrogatories, Requests For Admissions and Requests For Production Regarding Damages.

GENERAL OBJECTIONS

1. Plaintiffs object to the Interrogatories, Requests for Admissions and Requests for Production to the extent they seek information or documents outside the scope of discovery permissible under the Federal Rules of Civil Procedure.

2. Plaintiffs object to the Interrogatories, Requests for Admissions and Requests for Production to the extent they seek information covered by the attorney-client privilege, the work product doctrine, or any other applicable privilege or immunity. Plaintiffs' responses are not

Plaintiffs have already provided a table summarizing Past Costs at Trial Sites (transmitted to Lesley Lawrence-Hammer via email on March 2, 2012) as well as documents to defendants for scanning earlier in 2012 that contained the supporting information for Past Costs incurred related to Public Water Systems within the Delineated Areas of the Trial Sites. Plaintiffs cannot identify the Bates numbers because defendants' contractor scanned these documents and such scanned records have not been provided to plaintiffs.

10. Identify Any claims You are pursuing in your *parens patriae* capacity.

Response to Interrogatory No. 10:

Plaintiffs are pursuing in their *parens patriae* capacity all claims in the Third Amended Complaint. However, the *parens patriae* doctrine is not necessary for standing to bring the statutory counts of the Third Amended Complaint because the statutes directly confer standing upon the plaintiffs.

11. Identify Any damages You seek to recover in this Action, whether Past Costs or Future Costs, in Your *parens patriae* capacity.

Response to Interrogatory No. 11:

Damages plaintiffs seek to recover in their *parens patriae* capacity include all Past Costs and Future Costs to abate the nuisance, including the costs to investigate, clean up and remove, remediate, assess, restore, treat, monitor and otherwise respond to MTBE in the waters of the State so that such waters are restored to their original condition, and for all damages to

compensate the citizens of New Jersey for the lost interim value and benefits of their water resources during all times of injury caused by MTBE. These costs include past and future testing of all public and private drinking water supplies for the presence of MTBE; past and future treatment of all drinking water supplies containing detectable levels of MTBE until restored to a level less than 0.5 ug/l and provision of alternate water supplies; past and future monitoring of other waters of the State to detect the presence of MTBE; remediation; and restoration of such in situ waters to a concentration less than 1 ug/l. In addition, these costs include administrative, assessment, oversight and legal expenses incurred or to be incurred as a consequence of MTBE contamination of waters of the State. In addition, plaintiffs seek punitive damages as well as compensation for defendants' unjust enrichment. Furthermore, plaintiffs seek their costs and fees of litigating this action and pre-judgment interest. *See also* Third Amended Complaint, Prayers for Relief.

12. Identify Any claims You are pursuing pursuant to the public trust doctrine.

Response to Interrogatory No. 12:

Plaintiffs are pursuing pursuant to the public trust doctrine all claims in the Third Amended Complaint.

13. Identify Any damages You seek to recover in this Action, whether Past Costs or Future Costs, pursuant to the public trust doctrine.